

Notice of Allowability

Application No.

09/724,703

Examiner

William H. Wood

Applicant(s)

MISRA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 15 May 2006.
2. ☒ The allowed claim(s) is/are 13,14,60,61,63-65,68,69,71,79-88.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Allan Sponseller on 30 August 2006.

The application has been amended as follows:

Claim 13

A computer-implemented method for distributing software licenses to clients so that the clients may legally execute underlying software to which the software licenses pertains, the computer-implemented method comprising electronically issuing the software licenses as digital certificates that are distributed in one-to-one correlation with individual clients and traced to an issuing authority, and issuing a software license to a particular client only if a client executable image received from the particular client matches a stored client executable image for the particular client.

Claim 60

A license server for execution embodied on a computer-readable medium for issuing individual software licenses from a software pack received from a licensing clearinghouse, comprising:

- a license store to store the license software pack of individual software licenses, each software license having an associated license ID;

- a request handler to receive a request for software license from a client;

- a client authenticating module to determine, based on a client executable image received from the client, whether the client is authentic and can receive a software license; and

- a granting module to grant a software license from the license store to an authenticated client and to associate the license ID with the authenticated client.

Claim 69

A client computer, comprising:

- a license cache to store one or more software licenses;

- a license requestor to request a software license from a license server;

- a challenge handler to handle an authenticity challenge from the license server, the challenge handler computing a challenge response that contains a client executable image that ~~can be~~ is used by the license server to evaluate whether the client is authentic and can be licensed; and

whereupon authentication by the license server and granting of a software license, the license requestor receiving the software license from the license server and storing the software license in the license cache.

Claim 71

A program embodied on a computer-readable medium, comprising:

a code segment to receive an authenticity challenge from a license server that distributes software licenses;

a code segment to compute a challenge response that contains a client executable image that ~~can be~~ is used by the license server to evaluate whether the client is authentic and can be licensed; and

a code segment to store the software license granted by the license server in an event that the client is deemed authentic.

Claim 79

A client computer, comprising:

memory for storing information correspond to one or more received software licenses;

a license requestor to request a software license from a license server;

a challenge handler to handle an authenticity challenge from the license server, the challenge handler computing a challenge response that contains a client executable image that ~~can be~~ is used by the license server to evaluate

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whether the client is authentic and can be licensed, wherein the challenge contains a random number, and the challenge handler computes that challenge response by concatenating the random number with the client executable image to form a concatenated value and hashing the concatenated value; and

wherein, upon authentication by the license server and granting of a software license, the license requestor receiving the software license from the license server saves in the memory information corresponding to the received license.

Claim 83

A computer-readable medium, having computer readable instruction for:

requesting a software license from a license server;
receiving an authenticity challenge from the license server;
computing a challenge response that contains a client executable image that ~~can be~~ is used by the license server to evaluate whether the client is authentic and can be licensed; and

receiving, upon authentication by the license server and granting of a software license, the software license from the license server and storing information corresponding to the software license in a memory.

Claim 86

A client computer, comprising:

means for storing information corresponding to one or more received software licenses;

means for requesting a software license from a license server;

means for handling an authenticity challenge from the license server, the means for handling computing a challenge response that contains a client executable image that ~~can be~~ is used by the license server to evaluate whether the client is authentic and can be licensed, wherein the challenge contains a random number, and the means for handling computes the challenge response by concatenating the random number with the client executable image to form a concatenated value and hashing the concatenated value; and

wherein, upon authentication by the license server and granting of a software license, the means for requesting receiving the software license from the license server saves in the memory information corresponding to the received license.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Wood whose telephone number is (571)-272-3736. The examiner can normally be reached 9:00am - 5:30pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)-272-3719. The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR systems, see <http://pair-direct.uspto.gov>. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



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August 31, 2006



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